

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION

01 SEP 14 AM 10:11

U.S. DISTRICT COURT
N.D. OF ALABAMA

WILLIE LOUIS MACK,

Plaintiff,

vs.

SHERIFF EDMOND "TED" SEXTON
and JAMES E. TAGGART,

Defendants.

CV-00-PWG-0852-W

ENTERED

SEP 14 2001

MEMORANDUM OF OPINION

On August 15, 2001 the magistrate judge conducted an evidentiary hearing in the above-referenced action. On August 21, 2001 the magistrate judge filed his Findings and Recommendation recommending that judgment be entered in favor of defendants Sheriff Ted Sexton and Chief Jailer James Taggart. Plaintiff Willie Louis Mack filed a "Statement of Case" which will be construed as objections to the magistrate judge's findings and recommendation. Plaintiff's objections included a motion to amend his complaint. The motion to amend the complaint is due to be DENIED as untimely.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and objections thereto, the court is of the opinion that the magistrate judge findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. The court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law and this action is due to be DISMISSED with prejudice. A Final Judgment will be entered.

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As to the foregoing it is SO ORDERED this the 18th day of September, 2001.

A handwritten signature in cursive script, appearing to read "U. W. Clemon", written over a horizontal line.

U. W. CLEMON
CHIEF UNITED STATES DISTRICT JUDGE